



To the Honorable Council
City of Norfolk, Virginia

February 24, 2022

From: George M. Homewood
Director of Planning

Subject: City Planning Commission - Zoning
Text Amendment

Reviewed:

Ward/Superward: Citywide

Patrick Roberts, Deputy City
Manager

Approved:

Dr. Larry H. Filer II, City Manager

Item Number: PH-4

I. Planning Commission Recommendation:

By a vote of **5 to 0**, the Planning Commission recommends **Approval**.

II. Request: A text amendment to make 15 minor technical changes and corrections, across Articles 2, 3, 4, 5, and 6 of the Zoning Ordinance, for issues that have been discovered over the last several months.

III. Applicant: City Planning Commission

IV. Zoning Analysis:

- The *Norfolk Zoning Ordinance* became effective on March 1, 2018, and has been amended several times since, most recently in August 2021.
- Over the past several months, staff has discovered several minor technical errors and omissions, including the 15 identified here.
- The proposed amendments contain no significant policy issues or changes; rather, they reflect a “cleanup” of the minor technical errors and omissions that have been identified.

Staff contact: Austin Peters at (757) 805-2238, austin.peters@norfolk.gov

Attachments:

- Staff Report to CPC dated February 24, 2022, with attachments
- Ordinance



City Planning Commission Public Hearing: February 24, 2022

Executive Secretary: George M. Homewood, FAICP, CFM

Staff Planner: Austin Peters

Staff Report		Item No. 1
Applicant	City Planning Commission	
Request	Zoning Text Amendment	<p>Text amendments to various provisions of the Norfolk Zoning Ordinance to:</p> <ul style="list-style-type: none"> • Modify a provision for substantially improved nonconforming structures located in the flood zone; • Allow for veterinary hospitals or clinics in the BC-O Zoning District; • Allow renewable energy manufacturing facilities to operate in industrial base zoning districts; • Allow community garden use in the HC districts; • Create a path to allow for an alternate garage location with Architectural Review Board approval; • Correct clerical errors; and • To remove unnecessary provisions.

A. Summary of Request

This request will make 15 minor technical changes and corrections, across Articles 2, 3, 4, 5, and 6 of the *Zoning Ordinance*, for issues that have been discovered over the last several months.

B. Plan Consistency

- The “Land Use Strategies” chapter of *plaNorfolk2030* includes an outcome calling for development regulations and practices that support a quality built and natural environment.
 - The proposed text amendments are intended to ensure that outcome can continue to be met, making the proposal consistent with *plaNorfolk2030*.

C. Zoning Analysis

General

- The *Norfolk Zoning Ordinance* became effective on March 1, 2018, and has been amended several times since, most recently in August 2021.
 - Over the past several months, staff has discovered several minor technical errors and omissions, including the 15 identified here.
- The proposed amendments contain no significant policy issues or changes; rather, they reflect a “cleanup” of the minor technical errors and omissions that have been identified.
- Attached are two documents. The first is a list of all the proposed changes noting what the change is and what its impact would be; the second contains the specific language that is proposed as the amendment.

D. Mobility Impacts

N/A

E. Public Schools Impacts

N/A

F. Environmental Impacts

N/A

G. AICUZ Impacts

N/A

H. Surrounding Area/Site Impacts

N/A

I. Payment of Taxes

N/A

J. Civic League

N/A

K. Communication Outreach/Notification

Legal notification was placed in *The Virginian-Pilot* on February 10 and February 17.

L. Recommendation

Staff recommends that the Zoning Text Amendment request be **approved**.

Supporting Material:

- Ordinance Exhibits (A-L) (PDF)
- List of Revisions (PDF)
- Text (PDF)

Form and Correctness Approved: *BAP*

Contents Approved:



By: _____
Office of the City Attorney



By: _____
DEPT. Planning

NORFOLK, VIRGINIA

Ordinance No.

AN ORDINANCE TO AMEND THE NORFOLK ZONING ORDINANCE SO AS TO CLARIFY CERTAIN PROCESSES FOR NONCONFORMING STRUCTURES AND FOR CALCULATING DIMENSIONAL STANDARDS, TO REFINE USE PERMISSIONS IN VARIOUS ZONING DISTRICTS, TO CORRECT DEVELOPMENT STANDARDS RELATED TO PARKING, LANDSCAPING, AND ACCESSORY DWELLING UNITS, AND TO MAKE OTHER CORRECTIONS NECESSARY TO MAINTAIN ORGANIZATION AND INTERNAL CONSISTENCY WITHIN THE ZONING ORDINANCE.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That section 2.2.4.A(3) of the Norfolk Zoning Ordinance, establishing other powers and duties of the Architectural Review Board, is hereby amended and reordained so as to clarify that the Architectural Review Board is designated to review the compatibility of any enlargement, expansion, or alteration of a nonconforming structure located in the Flood Plain/Coastal Hazard (FPCH-O) Overlay District. The text shall read as set forth in "Exhibit A," attached hereto.

Section 2:- That tables 3.2.3.B, 3.2.4.B, 3.2.5.B, 3.2.6.B, and 3.2.7.B of the Norfolk Zoning Ordinance, establishing intensity and dimensional standards for residential base zoning districts, are hereby amended and reordained so as to clarify that both lot area and lot width may deviate up to 10% below the numerical dimensional standards without altering the conforming status of a zoning lot. The text shall read as set forth in "Exhibit B," attached hereto.

Section 3:- That table 3.2.8 of the Norfolk Zoning Ordinance, establishing intensity and dimensional standards for the R-C (Residential - Coastal) District, is hereby amended and reordained so as to clarify the maximum amount of storage area that is permitted on a first floor such that said floor can be excluded from the total number of floors counted to determine

building height. The text shall read as set forth in "Exhibit C," attached hereto.

Section 4:- That table 3.3.9 of the Norfolk Zoning Ordinance, entitled "Uses for the Commercial Base Zoning Districts," is hereby amended and reordained so as to allow the use of "Veterinary hospital or clinic" as a permitted use in the BC-O (Business and Commerce Park - Office) District, to allow the uses of "Warehouse" and "Wholesale establishment" by right in the BC-O (Business and Commerce Park - Office) and BC-I (Business and Commerce Park - Industrial) Districts, and to allow the use of "Renewable energy equipment and supply manufacturing," either by right or by conditional use permit based on compliance with applicable performance standards, in the BC-I (Business and Commerce Park - Industrial) District. The text shall read as set forth in "Exhibit D," attached hereto.

Section 5:- That table 3.5.7(A) of the Norfolk Zoning Ordinance, entitled "Uses for the Industrial Base Zoning Districts," is hereby amended and reordained so as to allow the uses of "Manufacturing, assembly or fabrication, heavy" and "Manufacturing, assembly or fabrication, light," either by right or by conditional use permit based on compliance with applicable performance standards, in the I-DW (Industrial - Deep Water) District and to allow the use of "Renewable energy equipment and supply manufacturing," either by right or by conditional use permit based on compliance with applicable performance standards, in the I-L (Industrial - Light), I-G (Industrial - General), I-W (Industrial - Waterfront), and I-DW (Industrial - Deep Water) Districts. The table shall read as set forth in "Exhibit E," attached hereto.

Section 6:- That table 3.6.11 of the Norfolk Zoning Ordinance, entitled "Uses for the Historic and Cultural Conservation Base Zoning Districts," is hereby amended and reordained so as to allow the use of "Community garden" by right in the HC-G1, HC-G2, and HC-G3 (Ghent Historic and Cultural Conservation) Districts, in the HC-WF1 and HC-WF2 (West Freemason Historic and Cultural Conservation) Districts, and in the HC-EF (East Freemason Historic and Cultural Conservation) District. The text shall read as set forth in "Exhibit F," attached hereto.

Section 7:- That section 4.2.3.F of the Norfolk Zoning Ordinance, establishing specific performance standards for commercial uses, and section 4.2.3.G of the Norfolk Zoning Ordinance, establishing specific performance standards for industrial uses, are hereby amended and reordained so as to prohibit open exercise runs for any "Veterinary hospital or

clinic" located in a BC-O (Business and Commerce Park - Office) District, to define under which performance standards a conditional use permit is required in order to operate the use of "Manufacturing, assembly or fabrication, heavy," "Manufacturing, assembly or fabrication, light," or "Renewable energy equipment and supply manufacturing," and to eliminate a requirement for a conditional use permit in order to operate a "Warehouse" or "Wholesale facility" in the BC-O (Business and Commerce Park - Office) and BC-I (Business and Commerce Park - Industrial) Districts. The text shall read as set forth in "Exhibit G," attached hereto.

Section 8:- That section 4.3.3.E of the Norfolk Zoning Ordinance, establishing specific performance standards for accessory uses, is hereby amended and reordained so as to require that an accessory dwelling unit must maintain the same architectural design, style, appearance, and character as the principal residential dwelling on the property and to clarify that the use of "Day care home" is not permitted on zoning lots less than 5,000 square feet in area. The text and table shall read as set forth in "Exhibit H," attached hereto. Furthermore, section 5.11.4 of the Norfolk Zoning Ordinance, establishing development standards for accessory dwelling units, is hereby repealed because it is inconsistent with the amendments to section 4.3.3.E adopted herein.

Section 9:- That section 5 of the Norfolk Zoning Ordinance, regulating development standards, is hereby amended and reordained so as to clarify that a garage is deemed to provide one (1) off street parking space, to clarify that driveways are permissible in required front yards for residential dwellings in the Suburban and Coastal Character Districts, to add a reference to the Zoning Ordinance Procedures Manual as the repository of the list of invasive and prohibited species for purposes of applying landscaping regulations, and to clarify that otherwise-applicable screening and open space requirements may be altered through an approved Alternative Landscaping Plan. The text shall read as set forth in "Exhibit I," attached hereto.

Section 10:- That table 5.5.4(A) of the Norfolk Zoning Ordinance, entitled "Required Open Space Set-Asides," is hereby amended and reordained so as to clarify that open space set-asides may be reduced by applicable regulations of the zoning district or overlay district in which the subject property is located. The text shall read as set forth in "Exhibit J," attached hereto.

Section 11:- That section 5.9.2.B of the Norfolk Zoning Ordinance, establishing exemptions from certain form standards, is hereby amended and reordained so as to clarify that the

maximum width of a garage that is permissible with approval of an architecturally appropriate design for a single-family dwelling is 16 feet. The text shall read as set forth in "Exhibit K," attached hereto.

Section 12:- That sections 6.2. and 6.3 of the Norfolk Zoning Ordinance, regulating nonconforming uses and nonconforming structures, are hereby amended and reordained so as to clarify when historically or architecturally significant properties with nonconforming uses may be approved to resume after having been discontinued and to specify that any enlargement, expansion, or alteration of a nonconforming structure located in the Flood Plain/Coastal Hazard (FPCH-O) Overlay District must be determined by the Architectural Review Board to be consistent with the character of the neighborhood in which it is located. The text shall read as set forth in "Exhibit L," attached hereto.

Section 13:- The Council hereby finds that this zoning amendment is required by public necessity, convenience, general welfare, or good zoning practice.

Section 14:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENTS:

Exhibit A (1 page)
Exhibit B (3 pages)
Exhibit C (1 page)
Exhibit D (3 pages)
Exhibit E (2 pages)
Exhibit F (1 page)
Exhibit G (3 pages)
Exhibit H (3 pages)
Exhibit I (3 pages)
Exhibit J (2 pages)
Exhibit K (1 page)
Exhibit L (2 pages)

Exhibit A

ARTICLE 2: ADMINISTRATION

2.2 ADVISORY AND DECISION-MAKING BODIES AND PERSONS

2.2.4. ARCHITECTURAL REVIEW BOARD

The Architectural Review Board (“ARB”) is established in accordance with the Code of Virginia.

A. POWERS AND DUTIES

The ARB shall have the following powers and duties:

(3) Other Powers and Duties

- (d) To review and decide on development applications where a determination of architectural appropriateness is requested in accordance with the standards of Section 3.2.8.D(2)(b), Section 3.9.9.C(3), Section 3.9.9.F(2), Section 5.4.4.A(1), Section 5.9.2.B, Section 5.10.2.B, ~~or~~ Section 6.3.1.A(1)(a), or Section 6.3.1.A(1)(b)(ii).

Exhibit B

ARTICLE 3: ZONING DISTRICTS

3.2 RESIDENTIAL BASE ZONING DISTRICTS

3.2.3. SF-2: SINGLE FAMILY 2

B. INTENSITY AND DIMENSIONAL STANDARDS

Standard	All Character Districts	
	Single Family	All Other Uses
Lot Area, min. (sf.)	20,000-25,000, based on the predominant pattern [1] [4]	25,000 [1] [4]
Lot Width, min. (ft.)	100 [2] [4]	100 [2] [4]
Front Yard Setback, min. (ft.)	25 [3]	25
Side Yard Setback, min. (ft.)	5, with a total on both sides of 20	10
Corner Side Yard Setback, min. (ft.)	25	25
Rear Yard Setback, min. (ft.)	25	25
Building Height, max. (ft.)	35	35
Max. Impervious Cover (% lot area)	50	50

Notes: sf. = square feet; ft. = feet

[1] Where there is no predominant pattern, lot area shall not be less than 25,000 sf.

[2] Minimum lot width may be reduced to the average lot width of properties on the same block face, but the minimum shall not be less than 90 ft.

[3] Front yard setback may be reduced to the average setback of properties on the same block face, if less than 25 ft.

[4] Existing lots within 10% of **both** the minimum lot area ~~or~~ **and minimum lot** width are deemed conforming per Section 6.4.2.D.

3.2.4. SF-4: SINGLE FAMILY 4

B. INTENSITY AND DIMENSIONAL STANDARDS

Standard	All Character Districts	
	Single Family	All Other Uses
Lot Area, min. (sf.)	10,000-15,000, based on the predominant pattern [1] [4]	15,000 [1] [4]
Lot Width, min. (ft.)	100 [2] [4]	100 [2] [4]
Front Yard Setback, min. (ft.)	25 [3]	25
Side Yard Setback, min. (ft.)	5, with a total on both sides of 20	10
Corner Side Yard Setback, min. (ft.)	25	25
Rear Yard Setback, min. (ft.)	25	25
Building Height, max. (ft.)	35	35
Max. Impervious Cover (% lot area)	55	55

Notes: sf. = square feet; ft. = feet

[1] Where there is no predominant pattern, lot area shall not be less than 15,000 sf.

- [2] Minimum lot width may be reduced to the average lot width of properties on the same block face, but the minimum shall not be less than 90 ft.
- [3] Front yard setback may be reduced to the average setback of properties on the same block face, if less than 25 ft.
- [4] Existing lots within 10% of **both** the minimum lot area ~~or~~ **and minimum lot** width are deemed conforming per Section 6.4.2.D.

3.2.5. SF-6: SINGLE FAMILY 6

B. INTENSITY AND DIMENSIONAL STANDARDS

Standard	All Character Districts	
	Single Family	All Other Uses
Lot Area, min. (sf.)	6,000-7,500, based on the predominant pattern [1] [5]	7,500 [1] [5]
Lot Width, min. (ft.)	60-75, based on the predominant pattern [2] [5]	75 [2] [5]
Front Yard Setback, min. (ft.)	25 [3]	25 [3]
Side Yard Setback, min. (ft.)	5 [4]	10
Corner Side Yard Setback, min. (ft.)	10 [4]	10
Rear Yard Setback, min. (ft.)	25	25
Building Height, max. (ft.)	35	35
Max. Impervious Cover (% lot area)	60	60

Notes: sf. = square feet; ft. = feet

- [1] Where there is no predominant pattern, lot area shall not be less than 7,500 sf.
- [2] Where there is no predominant pattern, lot width shall not be less than 75 ft.
- [3] Front yard setback may be reduced to the average setback of properties on the same block face, if less than 25 ft.
- [4] Side and corner side yard setbacks shall be 3 ft. for lots of 40 ft. and less in width.
- [5] Existing lots within 10% of **both** the minimum lot area ~~or~~ **and minimum lot** width are deemed conforming per Section 6.4.2.D.

3.2.6. SF-10: SINGLE FAMILY 10

B. INTENSITY AND DIMENSIONAL STANDARDS

Standard	All Character Districts	
	Single Family	All Other Uses
Lot Area, min. (sf.)	4,000-5,000, based on the predominant pattern [1] [4]	5,000 [1] [4]
Lot Width, min. (ft.)	40-50, based on the predominant pattern [2] [4]	50 [2] [4]
Front Yard Setback (ft.)	Within 3 ft. of the average on the block face or 18-25 if no pattern exists	Within 3 ft. of the average on the block face or 18-25 if no pattern exists
Side Yard Setback, min. (ft.)	3, with a total of both sides of 10 [3]	10
Corner Side Yard Setback, min. (ft.)	10 [3]	10
Rear Yard Setback, min. (ft.)	25	25
Building Height, max. (ft.)	35	35
Maximum Impervious Cover (% lot area)	60	60

Notes: sf. = square feet; ft. = feet

- [1] Where there is no predominant pattern, lot area shall not be less than 5,000 sf.
- [2] Where there is no predominant pattern, lot width shall not be less than 50 ft.
- [3] Side and corner side yard setbacks shall be 3 ft. for lots of 40 ft. and less in width.
- [4] Existing lots, of no less than 40 feet in width, within 10% of **both** the minimum lot area ~~or~~ **and minimum lot** width are deemed conforming per Section 6.4.2.D.

3.2.7. SF-T: SINGLE FAMILY – TRADITIONAL

B. INTENSITY AND DIMENSIONAL STANDARDS

Standard	Traditional Character District	
	Single Family	All Other Uses
Lot Area, min. (sf.)	4,000-5,000, based on the predominant pattern [1] [4]	5,000 [1] [4]
Lot Width, min. (ft.)	40-50, based on the predominant pattern [2] [4]	50 [2] [4]
Front Yard Setback (ft.)	Within 3 ft. of the average on the block face or 9-16 if no pattern exists	Within 3 ft. of the average on the block face or 9-16 if no pattern exists
Side Yard Setback, min. (ft.)	3, with a total on both sides of 10 [3]	10
Corner Side Yard Setback, min. (ft.)	5 [3]	10
Rear Yard Setback, min. (ft.)	25	25
Building Height, max. (ft.)	35	35
Maximum Impervious Cover (% lot area)	65	65

Notes: sf. = square feet; ft. = feet

[1] Where there is no predominant pattern, lot area shall not be less than 5,000 sf.

[2] Where there is no predominant pattern, lot width shall not be less than 50 ft.

[3] Side and corner side yard setbacks shall be 3 ft. for lots of 40 ft. and less in width.

[4] Existing lots, of no less than 40 feet in width, within 10% of both the minimum lot area ~~or~~ and minimum lot width are deemed conforming per Section 6.4.2.D.

Exhibit C

3.2.8. R-C: RESIDENTIAL - COASTAL

B. INTENSITY AND DIMENSIONAL STANDARDS

Base Standards [1]	Coastal Character District				
	Single-Family [1]	Single-Family Semi-Detached [1]	Two-Family [1]	Other Residential Uses	All Other Uses
Lot Area, min. (sf.)	5,000	7,500 [1]	7,500	See Section 3.2.8.D, Alternative Intensity and Dimensional Standards	10,000
Lot Area, min. (sf. per unit)	5,000	3,000	N/A		N/A
Lot Width, min. (ft.)	50 [1]	50	50		100
Lot Width, min. (ft. per unit)	N/A	25	N/A		N/A
Front Yard Setback (ft.)	20 [1] [2]	20 [1]	20 [1]		20
Side Yard Setback, min. (ft.)	5 [1]	5 [1]	5 [1]		10
Corner Side Yard Setback, min. (ft.)	10	10 [1]	10 [1]		10
Rear Yard Setback, min. (ft.)	20	20 [1]	20 [1]		20
Building Height, max.	3 stories [3]				
Maximum Impervious Cover (% lot area)	65%	N/A			

Notes: sf. = square feet; ft. = feet

[1] Alternative intensity and dimensional standards can be found in Section 3.2.8.D, Alternative Intensity and Dimensional Standards

[2] Attached garages where garage doors face Ocean View Avenue shall be set back 40 feet.

[3] First floors which are limited to ~~storage no larger than 100 square feet~~, parking, ~~storage~~, and building access ~~no larger than 100 square feet~~ shall not be considered a story towards the building height.

[4] Usable open space standard does not apply to single-family detached dwellings and townhouse.

Exhibit D

3.3 COMMERCIAL BASE ZONING DISTRICTS

3.3.9. USES FOR THE COMMERCIAL BASE ZONING DISTRICTS

TABLE 3.3.9: PRINCIPAL, ACCESSORY, AND TEMPORARY USE TABLE FOR COMMERCIAL BASE ZONING DISTRICTS

**P = PERMITTED BY RIGHT C = ALLOWED ONLY WITH APPROVAL OF A CONDITIONAL USE PERMIT
BLANK CELL = PROHIBITED**

USE CATEGORY	USE TYPE	C-N	C-C	C-R	O	BC-O	BC-I	PERFORMANCE STANDARDS	
Retail Sales and Service Uses	Animal shelter						P	4.2.3.F(5)	4.2.3.F(6)(a)
	Artist studio/school/gallery	P	P	P		P	P		4.2.3.F(6)(b)
	Auction house		P	P			P		4.2.3.F(6)(c)
	Auto supply sales and rental		P/C	P/C					4.2.3.F(6)(d)
	Bank or other financial institution	P	P	P	P	P	P		4.2.3.F(6)(e)
	Check cashing, auto title, or payday loan businesses		C						4.2.3.F(6)(f)
	Consignment shop	P	P	P					4.2.3.F(6)(g)
	Convenience store	C	C	C					4.2.3.F(6)(h)
	Establishment for the sale of distilled spirits for off-premises consumption		C	C					4.2.3.F(6)(i)
	Farmer's market	P	P	P					4.2.3.F(6)(j)
	Flea market, indoor		C	C					4.2.3.F(6)(k)
	Flea market, outdoor		C	C					4.2.3.F(6)(l)
	Funeral home or mortuary		P						4.2.3.F(6)(m)
	Grocery store	C	P/C	P/C					4.2.3.F(6)(n)
	Kennel		C	C			C		4.2.3.F(6)(o)
	Music, dance, or martial arts studio/school	P	P	P	P	P	P		4.2.3.F(6)(p)
	Novelty store or theater, adult		C						4.2.3.F(6)(q)
	Office	P	P	P	P	P	P		4.2.3.F(6)(r)
	Office, contractor	P	P	P		P	P		4.2.3.F(6)(s)

TABLE 3.3.9: PRINCIPAL, ACCESSORY, AND TEMPORARY USE TABLE FOR COMMERCIAL BASE ZONING DISTRICTS

**P = PERMITTED BY RIGHT C = ALLOWED ONLY WITH APPROVAL OF A CONDITIONAL USE PERMIT
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USE CATEGORY	USE TYPE	C-N	C-C	C-R	O	BC-O	BC-I	PERFORMANCE STANDARDS	
	Office, medical or dental	P	P	P	P	P	P		4.2.3.F(6)(t)
	Pawnshop		C						4.2.3.F(6)(u)
	Personal service business	P/C	P/C	P/C	P/C	P/C			4.2.3.F(6)(v)
	Retail goods establishment	P/C	P/C	P/C					4.2.3.F(6)(w)
	Self-service storage units		P	P		P	P		4.2.3.F(6)(x)
	Smoke or vape shop	C	C	C					4.2.3.F(6)(y)
	Tattoo parlor		C	C					4.2.3.F(6)(z)
	Therapeutic massage facility		P	P					4.2.3.F(6)(aa)
	Used books/media	P	P	P					4.2.3.F(6)(bb)
	Used merchandise sales	C	C	C					4.2.3.F(6)(cc)
	Vendor park	P	P	P	P	P	P		4.2.3.F(6)(dd)
	Veterinary hospital or clinic		P	P		<u>P</u>	P		4.2.3.F(6)(ee)
INDUSTRIAL USES									
Industrial Uses	Brewery, cidery, distillery, or winery					P	P	4.2.3.G(1)	4.2.3.G(2)(a)
	Distribution center					P	P		4.2.3.G(2)(e)
	Food processing						P		4.2.3.G(2)(f)
	Fuel oil or bottled gas distribution						C		4.2.3.G(2)(g)
	Hazardous materials manufacturing or storage						C		4.2.3.G(2)(h)
	Industrial services, light					P	P		4.2.3.G(2)(j)
	Landscaping contractor’s business					P	P		
	Manufacturing, assembly or fabrication, light					P	P		4.2.3.G(2)(p)
	Moving and storage						P		
	Recycling collection station	P	P	P			P		4.2.3.G(2)(r)
	<u>Renewable energy equipment and supply manufacturing</u>						<u>P/C</u>		
	Small engine repair shop		P				P		4.2.3.G(2)(y)
	Trucking Terminal						P		4.2.3.G(2)(bb)
	Warehouse					P/C	P/C		4.2.3.G(2)(cc)

TABLE 3.3.9: PRINCIPAL, ACCESSORY, AND TEMPORARY USE TABLE FOR COMMERCIAL BASE ZONING DISTRICTS

P = PERMITTED BY RIGHT C = ALLOWED ONLY WITH APPROVAL OF A CONDITIONAL USE PERMIT
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USE CATEGORY	USE TYPE	C-N	C-C	C-R	O	BC-O	BC-I	PERFORMANCE STANDARDS	
	Wholesale establishment					P/E	P/E		4.2.3.G(2)(dd)
	All other uses, not permitted								

Exhibit E

3.5 INDUSTRIAL BASE ZONING DISTRICTS

3.5.7. USES FOR THE INDUSTRIAL BASE ZONING DISTRICTS

TABLE 3.5.7: PRINCIPAL, ACCESSORY, AND TEMPORARY USE TABLE FOR INDUSTRIAL BASE ZONING DISTRICTS

**P = PERMITTED BY RIGHT C = ALLOWED ONLY WITH APPROVAL OF A CONDITIONAL USE PERMIT
BLANK CELL = PROHIBITED**

USE CATEGORY	USE TYPE	I-L	I-G	I-W	I-DW	PERFORMANCE STANDARDS
INDUSTRIAL USES						
Industrial Uses	Brewery, cidery, distillery, or winery	P/C	P/C			4.2.3.G(2)(a)
	Cargo pier and terminal				P	4.2.3.G(2)(b)
	Composting facility		C			4.2.3.G(2)(c)
	Concrete, asphalt, brick, manufacturing plant		P/C	P	P	4.2.3.G(2)(d)
	Distribution center	C	P/C			4.2.3.G(2)(e)
	Food processing	P/C	P/C			4.2.3.G(2)(f)
	Fuel oil or bottled gas distribution	C	C		C	4.2.3.G(2)(g)
	Hazardous materials manufacturing or storage		C		C	4.2.3.G(2)(h)
	Industrial services, heavy		P/C		P	4.2.3.G(2)(i)
	Industrial services, light	P	P	P	P	4.2.3.G(2)(j)
	Junkyard or storage yard		C			4.2.3.G(2)(k)
	Landfill					4.2.3.G(2)(l)
	Landscaping contractor's business	P	P			4.2.3.G(2)(m)
	Laundry and dry cleaning plant	P/C	P/C			4.2.3.G(2)(n)
	Manufacturing, assembly or fabrication, heavy		P/C		P/C	4.2.3.G(2)(o)
	Manufacturing, assembly or fabrication, light	P	P		P/C	4.2.3.G(2)(p)
	Moving and storage	P/C				4.2.3.G(2)(q)
	Recycling collection station	P	P			4.2.3.G(2)(r)

TABLE 3.5.7: PRINCIPAL, ACCESSORY, AND TEMPORARY USE TABLE FOR INDUSTRIAL BASE ZONING DISTRICTS

**P = PERMITTED BY RIGHT C = ALLOWED ONLY WITH APPROVAL OF A CONDITIONAL USE PERMIT
BLANK CELL = PROHIBITED**

USE CATEGORY	USE TYPE	I-1	I-G	I-W	I-DW	PERFORMANCE STANDARDS	
	Recycling sorting and processing center	C	C		C		4.2.3.G(2)(s)
	<u>Renewable energy equipment and supply manufacturing</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>		
	Rock, sand, and gravel distribution and storage		C	C	C		4.2.3.G(2)(t)
	Seafood processing	P/C	P/C	P			4.2.3.G(2)(u)
	Septic tank and portable toilet service	C	P/C				4.2.3.G(2)(v)
	Ship building and repair				P		4.2.3.G(2)(w)
	Slaughterhouse		C				4.2.3.G(2)(x)
	Small engine repair shop	P	P	P			4.2.3.G(2)(y)
	Solid waste processing facility		C				4.2.3.G(2)(z)
	Solid waste transfer station		C				4.2.3.G(2)(aa)
	Trucking Terminal	C	C				4.2.3.G(2)(bb)
	Warehouse	P/C	P/C	P	P		4.2.3.G(2)(cc)
	Wholesale establishment	P/C	P/C				4.2.3.G(2)(dd)

Exhibit F

3.6 HISTORIC AND CULTURAL CONSERVATION BASE ZONING DISTRICTS

3.6.11. USES FOR THE HISTORIC AND CULTURAL CONSERVATION BASE ZONING DISTRICTS

TABLE 3.6.11: PRINCIPAL, ACCESSORY, AND TEMPORARY USE TABLE FOR HISTORIC AND CULTURAL CONSERVATION BASE ZONING DISTRICTS

P = PERMITTED BY RIGHT C = ALLOWED ONLY WITH APPROVAL OF A CONDITIONAL USE PERMIT
BLANK CELL = PROHIBITED

[illegible]

Exhibit G

ARTICLE 4: PERFORMANCE STANDARDS

4.2 PERFORMANCE STANDARDS FOR PRINCIPAL USES

4.2.3. PERFORMANCE STANDARDS FOR ALL PRINCIPAL USES

F. STANDARDS SPECIFIC TO COMMERCIAL USES

(6) Definitions and Standards Applicable to Individual Retail Sales and Service Uses

(a) Veterinary hospital or clinic

A facility used for the care, diagnosis, and treatment of sick, ailing, infirm, or injured animals and preventive care for healthy animals. Accessory uses may include animal grooming services, short-term boarding, and limited retail sales of pet-related merchandise.

- (i) Those parts of structures in which animals are boarded shall be fully enclosed and sufficiently insulated so no unreasonable noise or odor can be detected off the premises.
- (ii) All boarded animals shall be kept within a totally enclosed part of the structures between the hours of 10:00 p.m. and 8:00 a.m.
- (iii) Open exercise runs or pens shall be located no closer than 35 feet from any Residential district.
- (iv) A Type B perimeter buffer shall be provided between any open exercise runs or pens and the property line.
- (v) Open exercise runs are prohibited in the BC-O and PCO-Lafayette districts.

G. STANDARDS SPECIFIC TO INDUSTRIAL USES

(2) Definitions and Standards Applicable to Individual Industrial Uses

(o) Manufacturing, assembly, or fabrication, heavy

An establishment primarily engaged in manufacturing uses that include, but are not limited to: manufacture or assembly of machinery, equipment, instruments, vehicles, appliances, communications equipment, computer or electronic equipment, precision items and other electrical items; the processing of food and related products; lumber mills, and electric power generation plants. The use also includes preparing, selling, or distributing food or beverage merchandise to retailers, businesses, or other wholesalers. Outdoor

storage of goods and materials used in the assembly, fabrication, or processing shall not exceed 25 percent of the floor area of all buildings on the property.

(i) A Conditional Use Permit is required ~~if~~ in the following circumstances:

(A) If the property is located within 600 feet of a Residential district, PD district, or HC district.

(B) In the I-DW district, if the use is not reliant on a direct connection to an adjacent navigable waterway.

(p) Manufacturing, assembly, or fabrication, light

The assembly, fabrication, or processing of goods and materials using processes that ordinarily do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building or lot where such assembly, fabrication, or processing takes place, where such processes are housed entirely within a building, or where the area occupied by outdoor storage of goods and materials used in such processes does not exceed 25 percent of the floor area of all buildings on the property. Light manufacturing generally includes processing and fabrication of finished products (such as woodworking and metalworking), predominantly from previously prepared materials, and includes processes which do not require extensive floor areas or land areas.

(i) In the I-DW district, a Conditional Use Permit is required if the use is not reliant on a direct connection to an adjacent navigable waterway.

(q) Renewable energy equipment and supply manufacturing

A facility where renewable energy products, such as wind turbines, solar panels, or the components thereof, are manufactured or assembled.

(i) A Conditional Use Permit is required if the property is located within 600 feet of a Residential district, PD district, or HC district.

(cc) Warehouse

A facility primarily engaged in the storage of manufactured products, supplies, and equipment, including cold storage. The use excludes bulk storage of materials that are flammable or explosive or that present hazards or conditions commonly recognized as offensive.

(ii) A Conditional Use Permit is required in the following circumstances:

(A) Except in the BC-O and BC-I Zoning Districts, where the property is located within 600 feet of a Residential district, PD district, or HC district and;

- (B) Except in the BC-O and BC-I Zoning Districts, where the ~~The~~ warehousing/distribution space within the building or structure is greater than 20,000 square feet.

(dd) Wholesale establishment

A facility primarily engaged in the storage and bulk sale of manufactured products, supplies, and equipment. The use excludes the bulk storage or sale of materials that are flammable or explosive or that present hazards or conditions commonly recognized as offensive.

- (i) The display and sales area shall not exceed 15 percent of the gross floor area.
- (ii) A Conditional Use Permit is required in the following circumstances:
 - (A) Except in the BC-O and BC-I Zoning Districts, where the property is located within 600 feet of a Residential district, PD district, or HC district and;
 - (B) Except in the BC-O and BC-I Zoning Districts, where the ~~The~~ warehousing/distribution space within the building or structure is greater than 20,000 square feet.

Exhibit H

4.3 PERFORMANCE STANDARDS FOR ACCESSORY USES

4.3.3. PERFORMANCE STANDARDS FOR ALL ACCESSORY USES

E. STANDARDS SPECIFIC TO ACCESSORY USES

(1) Definitions and Standards Applicable to Individual Accessory Uses.

(a) Accessory dwelling unit

A secondary dwelling unit established in conjunction with and clearly subordinate to a principal dwelling unit, whether part of the same structure as the principal dwelling unit, or as a detached structure on the same lot, which has a separate kitchen, bathroom, and sleeping area. See also Section 5.11.4, Accessory Dwelling Unit, for additional standards applicable to accessory dwelling units.

- (i) In the R-C district, a Conditional Use Permit may be required as per Section 3.2.8.D(1)(b).
- (ii) An accessory dwelling unit (ADU) shall be accessory only to a single-family detached dwelling, and shall be located on a lot that complies with the minimum area, dimensional, and lot coverage standards of the zoning district in which it is located.
- (iii) No more than one ADU shall be located on a lot.
- (iv) The property owner shall reside on-site, either in the principal dwelling or in the accessory dwelling unit, during times that the unit is available for rent.
- (v) An ADU shall not exceed 500 square feet in area or 25 percent of the area of the principal dwelling, whichever is less.
- (vi) An ADU shall:
 - (A) Have the same street address and mailbox as the principal single-family detached dwelling
 - (B) Not be subdivided or otherwise segregated in ownership from the principal single-family detached dwelling.
 - (C) Use the same water, sanitary sewer, gas, and electric utilities as the principal dwelling.
 - (D) Use the same driveway as the principal dwelling, unless it is accessed from a right-of-way not used by the principal use (e.g., a rear alley or separate street access on a corner or through lot).
 - (E) Provide one additional off-street parking space in addition to the minimum required for the principal dwelling.

- (F) Maintain the architectural design, style, appearance and character of the principal dwelling to which it is accessory by incorporating design elements of the principal dwelling like compatible materials, similar façade treatment, colors, window style and treatment, and roof design and pitch.

(f) Day care home

The secondary use of a single-family detached dwelling in which care and maintenance is provided to more than four but not more than 12 children who are separated from their parents or guardians during part of the day.

- (i) A Conditional Use Permit is required in the following circumstances:
 - (A) Day care homes on lots of 5,000-6,000 square feet with 5-9 children.
 - (B) Day care homes on lots of at least 10,000 square feet with 10-12 children.
- (ii) Day care homes are prohibited on lots smaller than 5,000 square feet.
- (iii) One off-street parking space shall be provided in addition to that required for the dwelling unit.
- (iv) The maximum number of employees that do not reside in the home shall not exceed one.
- (v) A permit for a day care home shall not be issued until a license is obtained from the Commonwealth.
- (vi) The site shall be kept free of clutter or debris.
- (vii) A play area shall be installed, and enclosed with a solid fence at least six feet in height.
- (viii) Outdoor play activities shall be conducted within the fenced play area, which shall only be used between 8:00 a.m. and 6:00 p.m.

5.11 ACCESSORY STRUCTURES

5.11.4 ~~ACCESSORY DWELLING UNIT RESERVED~~

~~In addition to the general standards in Section 5.11.3, and the performance standards in Section 4.3.3.E(1)(a), an ADU shall also maintain the architectural design, style, appearance and character of the principal dwelling to which it is accessory by incorporating design elements of the principal dwelling like compatible materials, similar façade treatment, colors, window style and treatment, and roof design and pitch.~~

Exhibit I

ARTICLE 5: DEVELOPMENT STANDARDS

5.1 PARKING, LOADING, AND BICYCLE STANDARDS

5.1.6. GENERAL STANDARDS FOR PARKING AND LOADING AREAS

D. RESIDENTIAL GARAGE

For all ~~single-family~~ residential uses in which one or more garage spaces are provided, all spaces located inside the garage shall only be considered to accommodate one required motor vehicle parking space.

5.1.7. MOTOR VEHICLE PARKING DESIGN STANDARDS

B. DESIGN STANDARDS FOR PARKING AREAS

(2) Townhouses, Two-family, and Single-family Semi-detached Dwellings

- (b) In the Suburban and Coastal Character Districts, driveways and accessways shall be permitted in the required front yard; however, no parking shall be provided anywhere in the front yard of a townhouse, two-family, or single-family semi-detached dwelling, except upon consideration and approval of a Conditional Use Permit requesting an increase in the maximum dimensions for the required front yard in accordance with Section 2.4.8, Conditional Use Permit.

5.2 LANDSCAPING STANDARDS

5.2.6. LANDSCAPING STANDARDS

D. INSTALLATION

(2) Landscaping Materials

Landscaping materials shall comply with the following standards at the time of planting.

- (a) Plant materials shall be deemed suitable for use in planting by the ZA.
- (b) Trees and shrubs planted to comply with the requirements of this section shall be healthy and free of any defects, and shall comply with minimum sizes set forth in Table 5.2.5(B), Minimum Tree and Shrub Size.

- (c) When multi-stem trees are used, the sum total caliper of the stems shall meet or exceed the minimum caliper required by Table 5.2.5(B), Minimum Tree and Shrub Size.
- (d) Small trees shall only be used in locations that are constrained by overhead utilities or other site constraints that prohibit the use of large or medium trees.
- (e) All plant materials shall comply with the minimum specifications and standards described in the current edition of *American Standard for Nursery Stock*. All plant sizes and growth habits shall be based on the current edition of the *Manual of Woody Landscape Plants*.
- (f) Plant materials shall not be acceptable if more than 15 percent of the plant is damaged, stressed, or dead.
- (g) No plant material listed and identified as an invasive or prohibited species in the Procedures Manual shall be planted.

5.4 SCREENING

5.4.2. APPLICABILITY

The standards in this section shall apply to the following types of development.

- A. Any new development shall comply with the standards in this section, unless an alternative landscaping plan is approved in accordance with Section 5.2.8, Alternative Landscaping Plan.
- B. Any new development, except single-family detached dwellings, shall comply with the standards of this section.
- C. Any individual expansion or alteration of a use, if the expansion increases the building's floor area by 50 percent or more, or the alteration involves 50 percent or more of the building's floor area (including interior alterations), shall comply with the standards of this section.

5.5 OPEN SPACE SET-ASIDES

5.5.2. APPLICABILITY

The following types of development shall comply with the standards in this section.

- A. Any new development shall comply with the standards in this section, unless an alternative landscaping plan is approved in accordance with Section 5.2.8, Alternative Landscaping Plan.
- B. The following types of new development:
 - (1) Two-family and townhouse dwellings;
 - (2) Multi-family dwellings with more than ten units;

- (3) Townhouse dwellings located in the Suburban Character District;
 - (4) Mixed-use development that includes residential dwellings; and
 - (5) Non-residential development.
- C. Any change to a use listed in subsections A(1) through A(5), above, shall comply with this section, to the maximum extent practicable.

Exhibit J

5.5.4. OPEN SPACE STANDARDS

A. AMOUNT OF OPEN SPACE SET-ASIDES REQUIRED

Development subject to this section shall provide the minimum amount of open space set-asides identified in Table 5.5.4(A), Required Open Space Set-Asides, based on the character district in which they are located and their use.

TABLE 5.5.4(A): REQUIRED OPEN SPACE SET-ASIDES				
LOCATION AND USE		OPEN SPACE SET-ASIDE (PERCENT OF LOT AREA) [1]	MAXIMUM IMPERVIOUS OPEN SPACE (PERCENT OF OPEN SPACE SET-ASIDE)	MINIMUM ACTIVE RECREATIONAL SPACE (PERCENT OF OPEN SPACE SET-ASIDE)
Downtown Character District	Multi-family dwellings	10	90	0
	Mixed-use and non-residential development	10		
	Townhouse and single-family semi-detached dwellings	Open set-aside area shall be 10 feet wide by six feet deep per dwelling unit		
	Two-family dwellings	10		
Traditional Character District	Multi-family dwellings	15	30	15
	Mixed-use and non-residential development	10		
	Townhouse and single-family semi-detached dwellings	Open set-aside area shall be 10 feet wide by six feet deep per dwelling unit		
	Two-family dwellings	15		
Suburban Character District	Multi-family, townhouse, and single-family semi-detached dwellings	20	35	20

TABLE 5.5.4(A): REQUIRED OPEN SPACE SET-ASIDES

LOCATION AND USE		OPEN SPACE SET-ASIDE (PERCENT OF LOT AREA) [1]	MAXIMUM IMPERVIOUS OPEN SPACE (PERCENT OF OPEN SPACE SET-ASIDE)	MINIMUM ACTIVE RECREATIONAL SPACE (PERCENT OF OPEN SPACE SET-ASIDE)
	Mixed-use and non-residential development	15		
	Two-family dwellings	20		
Coastal Character District	Multi-family, townhouse, and single-family semi-detached dwellings	20	25	15
	Mixed-use and non-residential development	15		
	Two-family dwellings	20		

Notes:

[1] Unless a different requirement is specified by the intensity and dimensional standards of a base zoning district or overlay zoning district.

Exhibit K

5.9 FORM STANDARDS

5.9.2. APPLICABILITY

B. EXEMPTIONS

Development exempt from these standards includes the following:

- (1) Adaptive re-uses of buildings designated Historic Landmark;
- (2) Development in an HC or HO district that is determined by the ARB to be appropriate for the location and the district; and
- (3) Any other development that is determined by the ARB to be architecturally appropriate in the context of the neighborhood, within the following limitations:
 - (a) For the single-family detached dwellings form standards, the ARB may exempt development from complying with any form standard in Table 5.9.3, Single-Family Detached Dwellings Form Standards, except those found in Component 3, Ground Floor Height, ~~and Component 4, Garage Location.~~ For Component 4, Garage Location, garages shall not exceed 16 feet in horizontal width.

Exhibit L

ARTICLE 6: NONCONFORMITIES

6.2 NONCONFORMING USES

6.2.4. ABANDONMENT AND CONTINUANCE OF NONCONFORMING USE

A. GENERALLY

If a legally established nonconforming use is discontinued for a period of two years, or if any building or structure housing a legally established nonconforming use is structurally altered, reconstructed, moved, or destroyed, then the nonconforming use shall be considered abandoned, and it shall not be continued except subject to the following:

- (1) Historic or architecturally significant properties may continue if they comply with all of the following standards:
 - (a) The nonconforming use proposed to be continued is the same use for which the building was originally designed, or the most recent nonconforming use has not been discontinued for longer than ten years.
 - (b) A conditional use permit authorizing the continuance is approved in accordance with Section 2.4.8, Conditional Use Permit, ~~and the buildings or structures where the use is located have been designated in one of the following ways:~~
 - (c) The buildings or structures where the use is located have been designated in one of the following ways:
 - (i) Individually listed in the Virginia Landmarks Register; or
 - (ii) Individually listed in the U.S. Department of the Interior's National Register of Historic Places; or
 - (iii) Certified by the United States Department of the Interior as contributing to a historic district; or
 - (iv) The building or structure is designated as a historic landmark in accordance with this Ordinance.

6.3 NONCONFORMING STRUCTURES

6.3.1. NONCONFORMING STRUCTURES

B. CONTINUATION OF NONCONFORMING STRUCTURES

A nonconforming structure may be continued in accordance with this section.

(1) Expansion, Improvement, or Structural Alteration of a Nonconforming Structure

(b) In addition to subsection (a), above, nonconforming structures located in the FPCH-O: Flood Plain / Coastal Hazard Overlay district may be enlarged or expanded provided they comply with the following:

- (i)** The enlargement or expansion complies with all provisions of the FPCH-O: Flood Plain / Coastal Hazard Overlay district.
- (ii)** The enlargement, expansion, or alteration is determined by the ARB, pursuant to the process set forth in Section 2.2.4, to maintain~~s~~ the character of the neighborhood in which the nonconforming structure is located;

February 2022 Zoning Ordinance Cleanup

List of Proposed Revisions – February 24, 2022

#	Comment	Explanation	Proposed Modification	Code Reference
1	Modify a provision for substantially improved nonconforming structures located in the flood zone.	Code is unclear who is responsible for determining that an alteration maintains the character of the neighborhood.	Modify Section 2.2.4.A(3)(d) to include Section 6.3.1.A(1)(b)(ii)	Section 2.2.4.A(3)(d)
			Modify the requirements of Section 6.3.1.A(1)(b)(ii) to require that substantially improved homes in the flood zone shall require a Determination of Architectural Appropriateness.	Section 6.3.1.A(1)(b)(ii)
2	Clarify a footnote found in the intensity and dimensional standards for some residential zoning districts.	Confusion on whether one or both conditions must apply to activate footnote.	Modify footnote to specify that existing lots within both 10% of the minimum lot area and width are deemed conforming lots.	Section 3.2
3	Clarify a footnote applying to first floor uses in the R-C zoning district.	Confusion on what activities a first floor is limited to for that floor not to be counted as a story.	Edit footnote 3 in table 3.2.8.B. to clarify the 100 square foot restriction applies to storage only.	Table 3.2.8.B.[3]
4	Allow for veterinary hospital or clinics in the BC-O Zoning District.	Variety of other office uses are permitted in BC-O.	Modify Table 3.3.9. to make veterinary hospital or clinic a permitted use in the BC-O Zoning District.	Table 3.3.9
			Prohibit open exercise runs in the BC-O district.	4.2.3.F(6)(ee)
5	Allow renewable energy manufacturing facilities to operate in industrial base zoning districts.	Such uses often require direct access to port facilities located in I-DW district.	Modifying Table 3.5.7. to make heavy and light manufacturing, assembly, or fabrication a P/C use in the I-DW Zoning District	Table 3.5.7 Section 4.2.3.G(2)(o)
			Create a new use called renewable energy equipment and supply manufacturing and make it a P/C use in all industrial base zoning districts and the BC-I zoning district.	Section 4.2.3.G(2)(p) Table 3.5.7
				Section 4.2.3.G(2)(t)

February 2022 Zoning Ordinance Cleanup

List of Proposed Revisions – February 24, 2022

#	Comment	Explanation	Proposed Modification	Code Reference
6	Correct conditions in which a Warehouse or Wholesale establishment requires a Conditional Use Permit.	A prior amendment only applied exemption for BC-O and BC-I Zoning Districts to condition (ii)(A) in each district.	Modify Table 3.5.7. to make Warehouse and Wholesale establishment a P use in the BC-O and BC-I Zoning Districts.	Table 3.5.7
			Add an exemption for BC-O and BC-I Zoning Districts in (ii)(B)	Section 4.2.3.G(2)(cc)
			Add an exemption for BC-O and BC-I Zoning Districts in (ii)(B)	Section 4.2.3.G(2)(dd)
7	Allow community garden use in the HC districts.	Use was unintentionally left out of these districts.	Add community garden use to Table 3.6.11. and make it a permitted use in all HC districts.	Table 3.6.11
8	Specify that attached accessory dwelling units shall also maintain the architectural design, style, appearance and character of the principal dwelling.	This standard, which applies only to this use, was confusingly located elsewhere.	Add a new performance standard for accessory dwelling units to clarify that attached ADUs shall also maintain the same design, style, appearance, and character of the principal dwelling, as is already the case for detached accessory dwelling units.	Section 4.3.3.E.(1)(a)(vi)
			Delete 5.11.4. Accessory Dwelling Unit and rename 5.11.4 “Reserved”	5.11.4
9	Need to address day care homes under 5,000 square feet.	Code reads as though day care homes on such lots are permitted by-right.	Add new subsection (ii) to specify that day care homes are prohibited on lots smaller than 5,000 sf.	Section 4.3.3.E.(1)(f)(ii)
10	Establish that a garage shall be considered to accommodate one required motor vehicle parking space for all residential uses.	This limit should be applied to all garage spaces, regardless of use they serve.	Remove the words “single-family” from 5.1.6.D, to make it clear that all garages serving a residential use shall be considered to have only one parking space.	Section 5.1.6.D
11	Clarify the vehicular uses that are permitted in front yards of townhouses, two-family, and single-family semi-detached dwellings.	Code is unclear whether driveways are permitted in front yards of these uses.	Modify the text to specify that driveways and accesses are permitted within the front yard setback, however, parking is not permitted in the front yard setback.	Section 5.1.7.B(2)(b)

February 2022 Zoning Ordinance Cleanup

List of Proposed Revisions – February 24, 2022

#	Comment	Explanation	Proposed Modification	Code Reference
12	Need to add a reference to the prohibited plant list located in the Procedures Manual.	The existence of such a list is not clear in this section.	Add a new subsection (g) referencing the prohibited plan list found in Table 5.6. of the Procedures Manual.	Section 5.2.6.D.(2)(g)
13	Need to clarify that alternative landscaping plan provisions apply to screening and open space requirements	Applicability of alternative landscaping plans is addressed in Section 5.2, but left out of 5.4 and 5.5.	Add a new subsection A referencing the possibility that standards could be amended through an alternative landscaping plan,	Section 5.4.2
			Add a new subsection A referencing the possibility that standards could be amended through an alternative landscaping plan.	Section 5.5.2
14	Correct the open space standards to remove contradictions with Downtown zoning district requirements.	A conflict exists where some Downtown districts have a higher standard than the open space standards.	Insert a footnote in Table 5.5.4(A) to say, “Unless a different requirement is specified by the intensity and dimensional standards of a base zoning district or overlay zoning district.”	Table 5.5.4(A)
			Take the language from 5.3.2.A and add it as a new subsection A. under 5.4.2 and 5.5.2.	Section 5.4.2 Section 5.5.2
15	Create a path to allow for an alternate garage location with a Determination of Architectural Appropriateness.	Most other form standards can be modified by ARB in this way.	Remove the reference to Component 4, Garage Location and establish a 16’ maximum garage door width.	Section 5.9.2.B.(3)(a)
16	Clarify how an abandoned nonconforming use may continue in a historic or architecturally significant properties.	Confusion on which standards apply – intent was to apply all three.	Split 6.2.4.A(1)(a) into (a) and (b) and add “all of the following” in (1).	Section 6.2.4.A(1)(a)
			The second portion onwards of new 6.2.4.A(1)(b) shall be used to create 6.2.4.A(1)(c).	Section 6.2.4.A(1)(b)